

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS**

**WACO DIVISION**

**AURELIA FERNANDES,**  
**Plaintiff,**

**v.**

**WAYNE HAYES and**  
**BETTY HAYES,**  
**Defendants.**

§  
§  
§  
§  
§  
§  
§

**CIVIL ACTION NO. W-11-CV-137**

**ORDER**

By previous Order, the Court denied Plaintiff's Motion for an Order to Show Cause because service was not made on Defendants in the manner prescribed by the Court. Plaintiff has now filed a Partial Motion to Reconsider that Order. Having reviewed the motion and the file in this case, the Court is persuaded that the Order denying the Motion for an Order to Show Cause should be vacated, and a new hearing should be scheduled. The subject of this hearing is contained in Plaintiff's Motion for an Order to Show Cause – that Defendants have failed to respond to Plaintiff's post-judgment discovery requests. Accordingly, it is

**ORDERED** that Plaintiff's Motion for an Order to Show Cause is **GRANTED**.


It is further

**ORDERED** that WAYNE HAYES and BETTY HAYES a/k/a BETTY BASKERVILLE a/k/a BETTY CUNNINGHAM shall appear at a hearing before this

Court at 9:00 a.m. on Thursday, October 3, 2013 in Courtroom #1, United States Courthouse, 800 Franklin Avenue, Waco, Texas, to show cause why they should not be held in contempt for failing to comply with the Court's Order directing them to respond to Plaintiff's requests for post-judgment discovery. As Defendants are not represented by counsel, Plaintiff shall personally serve a CERTIFIED COPY of this Order on Defendants WAYNE HAYES and BETTY HAYES a/k/a BETTY BASKERVILLE a/k/a BETTY CUNNINGHAM.

Defendants are advised that their failure to appear as directed could result in the imposition of sanctions, the issuance of a warrant for their arrest, and/or referral for criminal contempt prosecution.

**SIGNED** this 20<sup>th</sup> day of August, 2013.

  
\_\_\_\_\_  
**WALTER S. SMITH, JR.**  
**United States District Judge**